

Trial Court Funding – Maintenance Of Effort (MOE)

DESCRIPTION OF MAJOR SERVICES

On January 1, 1998, AB233, the Lockyer – Isenberg Trial Court Funding Act of 1997 went into effect in the State of California. This bill fundamentally changed how the trial courts are funded by transferring primary responsibility for funding the courts to the state, including sole responsibility for funding future growth in court operations costs. In addition, it requires counties to make a capped maintenance of effort (MOE) payment to the state each year for operations of the courts. The county's MOE contribution of \$28,390,295 is made up of two components. The expenditure component of \$20,227,102 represents the adjusted 1994-95 county expenses for court operations and the revenue component of \$8,163,193 is based on the fine and forfeiture revenue sent to the state in 1994-95. In return, the state allowed the counties to retain many of those same fines and forfeitures to help fund their MOE payments with the provision that collections that exceed the amount of the revenue MOE be shared equally between the state and the county. Of the remaining one half of excess revenue retained by the county, 25% is transferred to the Courthouse Facility special revenue fund to assist with costs of the seismic retrofit/remodel of the central courthouse.

Legislation enacted in 2003 mandated that during 2003-04 and 2004-05 all California counties contribute an additional payment to the state toward court funding. The payment was intended to help the state during its budget crisis and was in lieu of the state taking counties' various undesignated revenues, which would be a much higher amount. San Bernardino County's share of the \$31 million sweep in 2004-05 was \$1,134,812. According to the recently enacted legislation, this amount is expected to decrease slightly, but the final amount is not yet known.

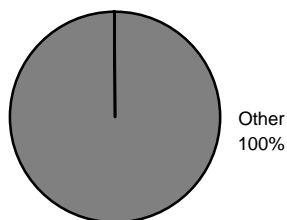
There is no staffing associated with this budget unit.

BUDGET AND WORKLOAD HISTORY

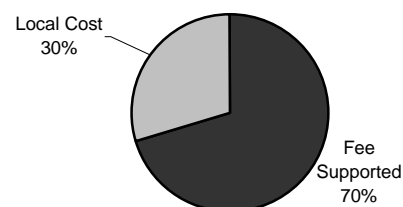
	Actual 2003-04	Budget 2004-05	Actual 2004-05	Budget 2005-06
Appropriation	36,063,535	35,725,112	35,890,577	35,725,112
Departmental Revenue	28,763,962	25,098,622	28,238,674	25,098,622
Local Cost	7,299,573	10,626,490	7,651,903	10,626,490

Appropriations exceeded budget for 2004-05 due to escalated fee revenue. As mentioned above, one half of certain fee revenue collected (such as parking fines, criminal and traffic fines, and recording fees) is remitted to the state if the revenue collected is in excess of the MOE required amount of \$8,163,193. Appropriation, departmental revenue, and local cost is unchanged from budgeted 2004-05 amounts, as increased revenue is not anticipated to continue at those levels and the resolution of the undesignated revenues or the slight reduction of the additional \$1.1 million payment is unknown at this time.

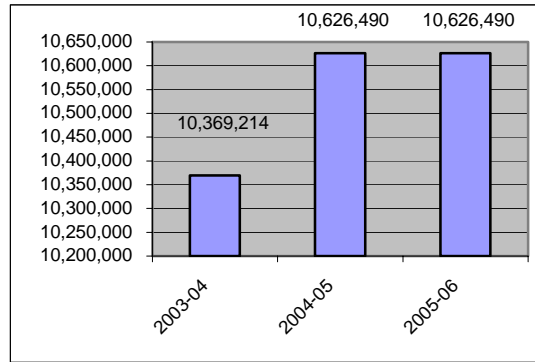
2005-06 BREAKDOWN BY EXPENDITURE AUTHORITY



2005-06 BREAKDOWN BY FINANCING SOURCE



2005-06 LOCAL COST TREND CHART



GROUP: Law & Justice
 DEPARTMENT: Trial Court Funding-Maintenance of Eff
 FUND: General

BUDGET UNIT: AAA TRC
 FUNCTION: Public Protection
 ACTIVITY: Judicial

	2004-05 Actuals	2004-05 Final Budget	2005-06 Board Approved Base Budget	2005-06 Board Approved Changes to Base Budget	2005-06 Final Budget
<u>Appropriation</u>					
Other Charges	34,617,482	34,525,112	34,525,112	-	34,525,112
Total Appropriation	34,617,482	34,525,112	34,525,112	-	34,525,112
Operating Transfers Out	1,273,095	1,200,000	1,200,000	-	1,200,000
Total Requirements	35,890,577	35,725,112	35,725,112	-	35,725,112
<u>Departmental Revenue</u>					
Fines and Forfeitures	8,213,531	7,280,000	7,280,000	-	7,280,000
Current Services	20,025,143	17,818,622	17,818,622	-	17,818,622
Total Revenue	28,238,674	25,098,622	25,098,622	-	25,098,622
Local Cost	7,651,903	10,626,490	10,626,490	-	10,626,490

Budget for 2005-06 is unchanged from 2004-05 final budget, as the revenue from fines and fees is anticipated to remain steady. Due to no change in the budgeted revenues, the \$1,200,000 transfer to the Courthouse Facility special revenue fund will also remain unchanged.

